

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

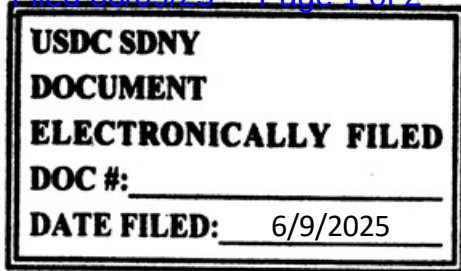
Esmiralda Konyukhova,

Plaintiff,

-against-

Walgreen Company, Sedgwick Claims
Management Services, and Walgreens
Company Paid Disability Plan for Salaried
Team Members, Pharmacists, and
Paraprofessionals,

Defendants.



1:24-cv-04390 (VEC) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

For the reasons stated on the record during today's telephone conference in which *pro* se Plaintiff Esmiralda Konyukhova and counsel for Defendants participated, it is hereby ORDERED, as follows:

1. Plaintiff's motion for the Court to deem service on the Walgreen Company Paid Disability Plan for Salaried Team Members, Pharmacists, and Paraprofessionals (the "Plan") effective (Pl.'s 4/29/25 Mot., ECF No. 85) is DENIED AS MOOT because counsel for Defendant Walgreen Company ("Walgreen") has agreed to accept service on behalf of the Plan. No later than ten days after filing of the Third Amended Complaint ("TAC"), Plaintiff shall obtain a summons as to the Plan and serve the summons on Walgreen's counsel via email, which shall be deemed good and effective service on the Plan.

2. Plaintiff's Letter Motion to compel production of certain ERISA plan documents (Pl.'s 5/30/25 Ltr. Mot., ECF No. 110) is DENIED WITHOUT PREJUDICE. If Plaintiff's ERISA claims

survive Defendants' motions to dismiss the TAC, Plaintiff may renew her request for such documents during the discovery phase of the case.

3. Defendants' motions to stay discovery (Defs.' Mots. to Stay, ECF Nos. 76 & 81) are DENIED WITHOUT PREJUDICE. No later than seven days after the TAC is filed, Defendants may renew such motions, taking into consideration the allegations contained in the TAC. In the interim, no discovery requests shall be served and no depositions shall be taken.

4. Going forward, all letters and letter motions filed to the ECF docket shall be in accordance with the Court's Individual Practices, available on the Court's website at <https://nysd.uscourts.gov/hon-stewart-d-aaron>.

SO ORDERED.

Dated: New York, New York
June 9, 2025

A handwritten signature in black ink, reading "Stewart D. Aaron", is written over a horizontal line.

STEWART D. AARON
United States Magistrate Judge